

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 23-CR-77

KEORIE SMITH,

Defendant.

**REPORT AND RECOMMENDATION TO ACCEPT
DEFENDANT'S GUILTY PLEA**

The United States of America and the defendant appeared before me pursuant to Federal Rule of Criminal Procedure 11. The defendant pled guilty to two count(s) of the indictment.

After cautioning and examining the defendant under oath concerning each of the subjects mentioned in Rule 11, I determined that the guilty plea was knowing and voluntary, and that the offenses charged are supported by independent factual bases containing each of the essential elements of the offense(s).

During the plea hearing there was a discussion about paragraph 21 of the plea agreement (ECF No. 595), in which it states that the defense “will not join” the government’s sentencing recommendation. Defense counsel clarified that the defense did join the government’s recommendation that any sentence imposed run concurrently to the defendant’s state revocation sentence. Counsel asked that this clarification be highlighted in this report and recommendation.

NOW, THEREFORE, IT IS RECOMMENDED that the defendant's plea of guilty be accepted; that a presentence investigation and report be prepared; and that the defendant be adjudicated guilty and have sentence imposed accordingly.

Your attention is directed to General L.R. 72(c), 28 U.S.C. § 636(b)(1)(B) and Federal Rules of Criminal Procedure 59(b), or Federal Rules of Civil Procedure 72(b) if applicable, whereby written objections to any recommendation or order herein, or part thereof, may be filed within fourteen days of the date of service of this recommendation or order. Objections are to be filed in accordance with the Eastern District of Wisconsin's electronic case filing procedures. Failure to file a timely objection with the district court shall result in a waiver of a party's right to appeal. If no response or reply will be filed, please notify the Court in writing.

Dated at Milwaukee, Wisconsin, this 31st day of October, 2024.



STEPHEN C. DRIES
United States Magistrate Judge